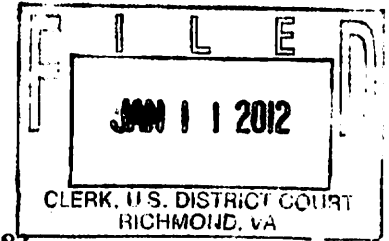


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA



COMPLAINT UNDER CIVIL RIGHTS ACT 42 U.S.C. § 1983

Action Number

3:12cv0028  
(To be supplied by the Clerk,  
U.S. District Court)

Please fill out this complaint form completely. The court needs the information requested in order to assure that your complaint is processed as quickly as possible and that all your claims are addressed. Please print/write legibly or type.

I. PARTIES

A. Plaintiff:

1. (a) Lamar Pannell (name) (b) 04121-000 (inmate number)  
(c) P.O. Box 1060 Northern Neck- (address)  
Regional Jail WARSAW Virginia 22572

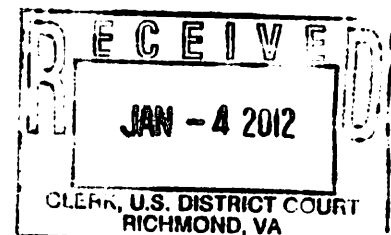
Plaintiff MUST keep the Clerk of Court notified of any change of address due to transfer or release. If plaintiff fails to keep the Clerk informed of such changes, this action may be dismissed.

B. Defendant

(s)

Plaintiff is advised that only persons acting under color of state law are proper defendants under section 1983. The Commonwealth of Virginia is immune under the Eleventh Amendment. Private parties such as attorneys and other inmates may not be sued under section 1983. In addition, liability under section 1983 requires personal action by the defendant that caused you harm. Normally, the Director of the Department of Corrections, wardens and sheriffs are not liable under section 1983 just because they supervise persons who may have violated your rights. These persons are liable only if they were personally involved in the alleged deprivation. In addition, prisons, jails, and departments within an institution are not persons under section 1983.

1. (a) Baserap (name) (b) Sgt. Shift Supervisor (title/ job description)  
(c) P.O. Box 1060 (address)  
WARSAW Virginia 22572



2. (a) Turner, Darrell (name) (b) Cpt. Chief of Security (title/ job description)  
(c) P.O. Box 1060 (address)  
WARSAW VA, 22572
3. (a) Hatt Theodore E. Hull (name) (b) Superintendent (title/ job description)  
P.O. Box  
(c) 1060 WARSAW VA, 22572 (address)

If there are additional defendants, please list them on a separate sheet of paper. Provide all identifying information for each defendant named.

Plaintiff MUST provide an address for defendant(s) in order for the court to serve the complaint. If plaintiff does not provide an address for a defendant, that person may be dismissed as a party to this action.

In addition, plaintiff MUST provide a copy of the completed complaint and any attachments for EACH defendant named.

## II. PREVIOUS LAWSUITS

- A. Have you ever begun other lawsuits in any state or federal court relating to your imprisonment? Yes [ ] No [☒]
- B. If your answer to A is YES: You must describe any lawsuit, whether currently pending or closed, in the space below. [If there is more than one lawsuit, you must describe each lawsuit on another sheet of paper, using the same outline, and attach hereto.]

### 1. Parties to previous lawsuit:

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court [if federal court, name the district; if state court, name the county]: \_\_\_\_\_

3. Date lawsuit filed: \_\_\_\_\_

4. Docket number: \_\_\_\_\_
5. Name of Judge to whom case was assigned:  
\_\_\_\_\_
6. Disposition [Was case dismissed? Appealed? Is it still pending? What relief was granted, if any?]:  
\_\_\_\_\_

### III. GRIEVANCE PROCEDURE

- A. At what institution did the events concerning your current complaint take place?  
Northern Neck Regional Jail P.O. Box 1060 WARSAW VA, 22572
- B. Does the institution listed in A have a grievance procedure? Yes ☒ No ☐
- C. If your answer to B is YES:
  1. Did you file a grievance based on this complaint? Yes ☒ No ☐
  2. If so, where and when: At Northern Neck Regional Jail 12-14-11
  3. What was the result? MS. Lewis WAS NOT clear on what I meant I was being denied to practice my religion
  4. Did you appeal? Yes ☒ No ☐
  5. Result of appeal: Mr. Bryant told me nothing would change what NNRJ has been doing for the past 16 years.
- D. If there was no prison grievance procedure in the institution, did you complain to the prison authorities? Yes ☐ No ☐  
If your answer is YES: What steps did you take?  
\_\_\_\_\_  
\_\_\_\_\_
- E. If your answer is NO, explain why you did not submit your complaint to the prison authorities.  
\_\_\_\_\_  
\_\_\_\_\_

#### IV. STATEMENT OF THE CLAIM

[State here as briefly as possible the facts of your case. Describe how each defendant is involved and how you were harmed by their actions. Also include the names of any other persons involved, dates and places of events. You may cite Constitutional amendments you allege were violated, but do not give any legal arguments or cite any cases or statutes.]

If you intend to allege several related claims, number and set forth each claim in a separate paragraph.(Attach additional sheets if necessary.)]

On Friday, December 9, 2011 at approximately 1:00pm at the Northern Neck Regional Jail P.O. Box 1060-WARSAW VA, 22572. I WAS SUMMOND to the law-library area to have "Jumah" services. Once there in designated area I was told by Sgt.-Baserap that I CAN NOT conduct "Jumah" service in the Arabic LAUNGage as custom and traditional. Also, Sgt. Baserap told me that, too, it applies to my prayer (worship) too. That if I did not comply to these orders "Jumah" service would be terminated. At 1:30pm, roughly a half hour into the hour allowed services were terminated. Due to the custom AND tradition of the Arabic LAUNGage spoken. This is a clear, blatant, AND flagrant violation of my constitutional right of freedom to practice my religion.

## V. RELIEF

I understand that in a section 1983 action the Court cannot change my sentence, release me from custody or restore good time. I understand I should file a petition for a writ of habeas corpus if I desire this type of relief. L.P. [please initial]

The plaintiff wants the Court to: [check those remedies you seek]

☒ award money damages in the amount of \$ 15,000,000

☒ grant injunctive relief by Allowing the practice of religion correctly

☐ Other

## VI PLACES OF INCARCERATION

Please list the institutions at which you were incarcerated during the last six months. If you were transferred during this period, list the date(s) of transfer. Provide an address for each institution.

From June 27, 2011 til the present I've  
been incarcerated only at Northern Neck  
Regional Jail P.O. Box 1060 WARSAW VA, 22572

## VII. CONSENT

CONSENT TO TRIAL BY A MAGISTRATE JUDGE: The parties are advised of their right, pursuant to 28 U.S.C. § 636(c), to have a U.S. Magistrate Judge preside over a trial, with appeal to the U.S. Court of Appeals for the Fourth Circuit.

Do you consent to proceed before a U.S. Magistrate Judge: Yes ☒ No ☐.  
You may consent at any time; however, any early consent is encouraged.

## VIII. SIGNATURE

If there is more than one plaintiff, each plaintiff must sign for himself or herself.

Signed this 14 day of Dec, 2011.

Plaintiff Lamar Pannell

County/City of Richmond Co  
Commonwealth/State of VA  
The foregoing instrument was acknowledged  
before me this 28 day of December  
2011, by Lamar Pannell  
(name of person seeking acknowledgment)  
Edward A. Bryant  
Notary Public  
My commission expires: 12/31/2012

5

